

**GOVERNMENT OF INDIA
URBAN EMPLOYMENT AND POVERTY ALLEVIATION
LOK SABHA**

UNSTARRED QUESTION NO:4616
ANSWERED ON:22.08.2000
COMMERCIAL ACTIVITIES
RAVINDRA KUMAR PANDEY

Will the Minister of URBAN EMPLOYMENT AND POVERTY ALLEVIATION be pleased to state:

- (a) whether the Government have formulated any guidelines for allowing Nursing Homes, Guest Houses and Banks in residential areas;
- (b) if so, the details thereof;
- (c) whether the additional levy is charged for regularisation of Banks, Guest Houses and Nursing Homes in residential areas;
- (d) if so, the details thereof;
- (e) whether the Income Tax, Wealth tax are also included in the regularisation charges;
- (f) if so, whether the owners of the buildings have represented to the Government to exempt the levy charge at the rate of 10% per annum; and (g) if so, the action taken by the Government in this regard?

Answer

MINISTER OF STATE FOR URBAN DEVELOPMENT & POVERTY ALLEVIATION (SHRI BANDARU DATTATREYA)

(a): Yes, Sir.

(b) to (d): Details as per Annexure.

(e): Permission fee for carrying out activities relating to nursing homes, guest houses, and banks in residential areas/plots is not linked with the Income Tax and Wealth Tax are payable under the provisions of the relevant Acts.

(f) & (g): Yes, Sir. Representations have been received against the permission charges. Government is already seized of this matter.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PARTS (b) TO (d) OF LOK SABHA UNSTARRED QUESTION NO.4616 FOR 22.8.2000

GUIDELINES FOR ALLOWING MIXED LAND USE, NAMELY, NURSING HOMES, GUEST HOUSES AND BANKS IN RESIDENTIAL AREAS.

Master Plan for Delhi has been modified vide Notification dated 7th May, 1999 allowing Guest House, Boarding House, Lodging House, Nursing Homes and Banks in residential plots of minimum size 209 sqm facing roads of minimum width 18 mtrs. (9 mts. in special areas and 13.5 mtrs. in rehabilitation colonies) subject to the following conditions:-

- (i) Minimum road frontage as mentioned above will be necessary for allowing above-mentioned activities. For Guest Houses, Banks and Nursing Homes which are already in existence, this requirement may be relaxed provided there is clearance from Fire Department.
- (ii) For Nursing Homes and Banks, a maximum of 2/3rd floor area may be allowed for conversion for plot size upto 250 sqm. In case of larger plots, the use for the above mentioned purposes may be permitted subject to a ceiling of 2/3rd FAR or 600 sqm whichever is less. In the case of Guest Houses, a maximum of 3/4th floor area may be allowed for conversion regardless of size of plot. A maximum of 15 guest rooms will be permitted in guest houses.
- (iii) The maximum plot size for the above mentioned activities will be 1000 sqm.
- (iv) All parking requirements of plot size over 250 sqm is to be provided within the plot. In case of smaller plots, land in the vicinity will be identified and common parking areas developed.
- (v) Nursing Homes, on payment of a fee, should link up their disposal of waste with MCD/NDMC, to ensure hygienic disposal.

(vi) To avoid chances of recycling of syringes, needles, plastics, the Nursing Homes must ensure that these are destroyed before disposal. A certificate in this regard should be submitted to the local authorities at periodical intervals.

(vii) Only Branch Offices of Banks catering to the neighbourhood banking facilities will be permitted.

(viii) No commercial activity in the form of canteen or restaurant will be permitted. Catering will be allowed only for the residents of the Guest Houses/Nursing Homes.

(ix) A permission fee will be charged at the rate of 10% per annum of the difference between the current commercial rate and current residential rate as approved by this Ministry. The fees will be based on the actual floor area utilised for such non-residential purpose. The amount collected through the levy of permission fee will be placed in a separate escrow account by the concerned local body collecting it and will be utilised for augmentation of infrastructure in and around the area.

(x) Where residential premises are already being put to such non-residential use, the same will be regularised on their payment of permission fee vide Para (ix) above from the current financial year.

(xi) Local bodies will ensure that permission fee is paid for each financial year within six months of that financial year, in case of violation of these guidelines default, prompt action will be taken to issue time-bound notice to party and in case of non-compliance, close and seal the premises and permission fee with 100% misuse fee recovered.

(xii) Wherever premises are utilised for such non-residential but permissible use, it will be ensured that no nuisance or hardship is created for the local residents.

2. Based on the above guidelines, the local bodies will ensure that all existing premises are regularised after fulfilling the conditions laid down herein within 6 months. Monthly status report may be sent to the Government. Local bodies will also ensure that the mixed land use facilities being permitted through these guidelines are implemented in the proper spirit so that the residential character of such areas is maintained.